FLORIDA HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/CS/HB 1007	**COMPANION BILL:** CS/CS/SB 484 (Avila)
TITLE: Data Centers	**LINKED BILLS:** None
SPONSOR(S): Griffitts	**RELATED BILLS:** None

FINAL HOUSE FLOOR ACTION: 92 **Y's** 16 **N's** **GOVERNOR'S ACTION:** Approved

SUMMARY

Effect of the Bill:
The bill addresses issues related to the development of large-scale data centers in this state. Specifically, the bill:

- Establishes minimum tariff and service requirements for large load electric customers that ensure such customers pay their full cost of service and that prevent a public utility from providing electric service to certain foreign entities that are large load customers.
- Requires public electric utilities, by October 1, 2026, to file tariffs for approval by the Public Service Commission.
- Prohibits economic development agencies from extending the 12-month exemption from public record requirements for information relating to a potential data center locating or expanding its business in this state.
- Creates a consumptive use permitting framework for large-scale data centers.
- Requires the Office of Program Policy Analysis and Government Accountability to contract for an independent, interdisciplinary study of policy considerations related to the construction and operation of large-scale data centers.

Fiscal or Economic Impact:
The bill will likely have an indeterminate, negative economic impact on the private sector.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION

ANALYSIS

EFFECT OF THE BILL:

CS/CS/HB 1007 passed as CS/CS/SB 484.

Land Use for Large Load Customers

The bill provides legislative findings that certain land uses with substantial electric or utility demands may present unique planning, infrastructure, and compatibility considerations. It states such considerations are to be addressed through local comprehensive plans and land development regulations, including provisions related to infrastructure capacity, land use compatibility, environmental impacts, and the efficient provision of public facilities and services. (Section 1)

The bill clarifies that local governments retain authority to exercise comprehensive planning and land development regulatory powers with respect to large load customers.[1] It further provides that a large load customer may not be considered an electric substation for purposes of the streamlined substation approval process. (Section 1)

These provisions take effect upon becoming a law. (Section 1)

[1] The bill defines "large load customer" to mean a customer with an anticipated monthly peak load of 50 MWs or more, calculated as the highest average load over a 15-minute interval at a single location, including all customers or other entities that have entered into a colocation or similar agreement at a single location, but not including a load aggregated across multiple locations owned by the same customer.

Economic Development Agency Confidentiality

The bill provides that the 12-month extension of the public record exemption for information submitted to an economic development agency concerning a business's plans to locate or expand in this state does not apply to information related to data centers.[2] As a result, information concerning a potential data center development remains confidential for the initial 12-month period but is not eligible for the additional 12-month extension. (Section 2)

Large Load Tariffs

The bill establishes minimum service and tariff requirements for large load customers that receive electric service from a public electric utility.[3] Specifically, the service and tariff requirements must:

- Reasonably ensure that each large load customer bears its own full cost of service[4] and that such cost is not shifted to the general body of ratepayers. The bill provides that the risk of nonpayment of such costs may not be borne by the general body of ratepayers.
- Include provisions reasonably designed to prevent a public utility from providing electric service to a customer that would otherwise qualify as a large load customer if that customer is a foreign entity. The bill defines the term "foreign entity" to mean an entity that is owned or controlled by[5] the government of a foreign country of concern;[6] or a partnership, an association, a corporation, an organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity. (Section 3)

To effectuate these minimum service and tariff requirements, the bill authorizes the Florida Public Service Commission (PSC) to approve public utility tariffs that include utility industry-accepted ratemaking and other financial tools, including, but not limited to, the following:

- Contributions in aid of construction[7] or other required customer infrastructure investments that may be returned, in whole or in part, to such customers over time.
- Demand charges,[8] including minimum demand charges.
- Incremental generation charges.
- Financial guarantees.
- Minimum load factors.

---

[2] The bill defines "data center" as a facility that primarily contains electronic equipment used to process, store, and transmit digital information, whether as a standalone structure or within a larger facility.

[3] The bill defines "public utility" to include every person, corporation, partnership, association, or other legal entity and their lessees, trustees, or receivers supplying electricity to or for the public within this state but does not include gas utilities, rural electric cooperatives, or municipal electric utilities.

[4] The bill provides that a large load customer's cost of service includes, but is not limited to, connection, incremental transmission, incremental generation, and other infrastructure costs; operations and maintenance expenses; and any other costs required to serve a large load customer.

[5] The bill defines "controlled by" to mean having the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interests of the company or that is entitled to 25 percent or more of its profits is presumed to control the entity.

[6] The bill defines "foreign country of concern" to have the same meaning as in s. 692.201(3), F.S., which includes the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern.

[7] Contributions in aid of construction (CIAC) in utility regulation are contributions of funds or property from new or prospective customers to a utility to cover the cost of infrastructure upgrades needed to provide service to the customer. *See, e.g.*, National Association of Regulatory Utility Commissioners (NARUC), *NARUC Desk Reference Manual, Ratemaking Fundamentals and Principles* (last visited Feb. 24, 2026); NARUC, *State Utility Regulators Urge Passage of Bipartisan Water Infrastructure Bill* (last visited Feb. 24, 2026).

[8] A "demand charge" is a rate based on electricity consumed at a given point in time, usually measured within a short window of time. *See* National Association of Regulatory Utility Commissioners (NARUC), *NARUC Desk Reference Manual, Ratemaking Fundamentals and Principles* (last visited Feb. 24, 2026)

- Take-or-pay provisions or similar provisions requiring payment for contracted capacity, regardless of a large load customer's actual electricity use or demand.
- Minimum period of service contract requirements, including early termination fees or other fees for violation of such contracts. (Section 3)

The bill prohibits a customer from separating an electrical load at a single location into multiple smaller connections to avoid being classified as a large load customer. (Section 3)

The bill provides that any tariff, contractual provision, service requirement, or other public utility policy relating to large load customers may not prevent or otherwise hinder the electric service to a large load customer from being curtailed or interrupted for purposes of ensuring grid stability, reducing the likelihood or breadth of wider service outages, or ensuring public safety during an emergency or other exceptional circumstance. (Section 3)

The bill prohibits a public utility from knowingly providing electric service to a customer that would otherwise qualify as a large load customer if that customer is a foreign entity. (Section 3)

The bill requires each public utility, by October 1, 2026, to file for PSC approval a tariff that complies with these requirements. (Section 3)

Large-scale Data Center Permitting

The bill expresses legislative intent that the development and operation of large-scale data centers[9] be managed under a permitting framework that ensures water resources are used in the public interest, are not harmful to water resources, and are consistent with local zoning and comprehensive plans. (Section 5)

The bill prohibits a water management district or the Department of Environmental Protection from issuing a consumptive use permit (CUP) to a large-scale data center applicant if the proposed use of water is harmful to the water resources of the area or is prohibited by applicable local zoning regulations or comprehensive plans. A CUP must be issued if the applicant demonstrates that the proposed use is reasonable-beneficial,[10] will not interfere with existing legal uses of water, and is consistent with the public interest. (Section 5)

The bill requires the use of reclaimed water in lieu of surface water or groundwater by a large-scale data center when specified conditions are met, including:

- A suitable reclaimed water source is available and permitted.
- Reclaimed water distribution or supply lines are available at the property boundary in sufficient capacity and quality to meet the applicant's needs.
- The applicant is capable of accessing the reclaimed water source through distribution or supply lines.
- Use of reclaimed water is environmentally, economically, and technically feasible.
- Use of reclaimed water would not conflict with the requirements of the applicant's surface water discharge permit, if applicable. (Section 5)

For large-scale data center applications requesting an allocation of at least 100,000 gallons per day, the bill requires additional application materials beyond those otherwise required for a CUP, including:

- The sources and amounts of water, as well as losses of water associated with cooling, industrial and treatment processes, personal or sanitary needs of employees, and landscape irrigation.

[9] The bill defines "large-scale data center" as a single location with a data center on site that has an anticipated monthly peak load of 50 megawatts (MW) or more, calculated as the highest average load over a 15-minute interval. The definition excludes loads aggregated across multiple locations owned by the same customer but includes collocated customers or entities operating at a single location that meets the 50 MW threshold.

[10] Section 373.019(16), F.S., defines "reasonable-beneficial use" as the use of water in such quantity as is necessary for economic and efficient utilization for a purpose and in a manner that is both reasonable and consistent with the public interest.

- A water conservation plan that, at a minimum, incorporates recycling of cooling water before discharge or disposal, implementation of a leak detection and repair program, use of water efficient fixtures, and implementation of an employee awareness and education program concerning water conservation. (Section 5)

The bill further provides that a permit application submitted by a large-scale data center may not be approved without a hearing. Additionally, proposed modifications of a CUP submitted by a large-scale data center must be processed in the same manner as the initial permit application. (Sections 5 and 6)

Study of Large-scale Data Center Policy Considerations
The bill requires the Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) to contract for an independent, interdisciplinary study of policy considerations related to the construction and operation of large-scale data centers. The bill provides that these considerations include, but are not limited to, state, regional, or local economic development and tax revenue impacts; use of land, water, and other natural resources; energy use and related cost and rate impacts; and public health and safety related impacts. The bill specifies that the study must identify any issues unique to the construction and operation of large-scale data centers in Florida and include recommendations on facility siting and mitigation measures that should be considered to reduce any potential negative impacts. (Section 7)

The bill authorizes OPPAGA to contract with one or more nonpartisan academic or nonprofit research organizations with policy and scientific expertise in relevant fields of study. The bill requires OPPAGA to submit the study to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2027. (Section 7)

Effective Date
The bill was approved by the Governor on May 7, 2026, ch. 2026-65, L.O.F., and will become effective on July 1, 2026, except as otherwise provided. (Section 8)

FISCAL OR ECONOMIC IMPACT:

PRIVATE SECTOR:

The bill is likely to affect the electricity rates, fees, and other costs applicable to large load customers served by public electric utilities. The magnitude of any such impact is indeterminate and will depend on factors including individual customer characteristics and the specific service and tariff requirements approved by the PSC. In addition, large-scale data centers seeking a construction permit or CUP may incur increased compliance and administrative costs associated with enhanced application requirements established under the bill.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Data Centers

A data center is a facility that contains information technology infrastructure used to process, store, and transmit digital information. These facilities house large numbers of servers and related equipment and require significant power infrastructure and cooling systems to maintain continuous operations.[11]

Data centers vary in size, but large-scale and hyperscale facilities may require electric demand measured in tens or hundreds of megawatts (MW) at a single location.[12] For context, a 100 MW load may represent electricity demand comparable to 75,000 residential homes, and a 650 MW facility may be comparable to the electricity demand of

[11] Amazon, *What is a Data Center* (last visited Feb. 24, 2026).
[12] *See* IBM, *What is Hyperscale?* (last visited Feb. 24, 2026); Scout, *Titans of Tech: Exploring American's Largest Hyperscale Data Centers* (last visited Feb. 24, 2026).

approximately 500,000 homes.[13] By comparison, Orange County, Florida, has approximately 550,000 total households.[14]

Large-scale data centers may also utilize significant volumes of water for cooling systems. Cooling processes may involve evaporative cooling or other technologies that require water withdrawals from municipal systems, groundwater wells, or other sources.[15] The International Energy Agency estimates that a 100 MW data center consumes approximately the same amount of water as 2,600 households.[16]

Nationally, data center electricity consumption has grown in recent years due to increased cloud computing, artificial intelligence, and large-scale data processing.[17] As of 2025, approximately 41 percent of global data center capacity is located in facilities with a power capacity of 100 MW or more, and that share is projected to increase by 20 percent in the next five years.[18] One 2025 analysis estimated that global data center capacity demand may triple by 2030, with annual growth in the United States estimated between 20 and 25 percent.[19]

Consumptive Use Permits

"Consumptive use" is defined as any use of water that reduces the supply from which it is withdrawn or diverted.[20] With limited exceptions, a person must obtain a consumptive use permit (CUP) before withdrawing surface water or groundwater.[21] The Department of Environmental Protection (DEP) and Florida's five water management districts (WMDs) are authorized to issue CUPs and impose reasonable conditions to ensure that water use is consistent with state water policy and not harmful to the water resources of the area.[22] In practice, CUP authority is primarily delegated to WMDs.

To obtain a CUP, an applicant must demonstrate that the proposed use of water:

- Is a reasonable and efficient use of water for its intended purpose.
- Will not interfere with any presently existing legal use of water.
- Is consistent with the public interest.[23]

CUP applications generally must identify the source of water, the quantity requested, the intended use of the water, and supporting information demonstrating that the proposed withdrawal will not cause unacceptable impacts to water resources or other users.[24] Depending on the quantity of water requested, permits may be processed under general permitting criteria or may require a more detailed individual permit review.[25]

CUPs may include conditions related to conservation, monitoring, reporting, and other measures necessary to ensure that withdrawals remain within approved limits and do not harm water resources.[26]

---

[13] IAEI Magazine, *How Much Electricity Does a Data Center Use? Complete 2025 Analysis* (last visited Feb. 24, 2026).
[14] Census Reporter, *Orange County, FL.* (last visited Feb. 24, 2026).
[15] Congressional Research Service, *Data Centers and Their Energy Consumption: Frequently Asked Questions* (last visited Feb. 20, 2026); Digital Realty, *A Guide to Data Center Cooling: Future Innovations for Sustainability* (last visited Feb. 24, 2026).
[16] This figure does not account for water needed to produce electricity, which can also be substantial.
[17] *See* Congressional Research Service, *Data Centers and Their Energy Consumption: Frequently Asked Questions* (last visited Feb. 24, 2026).
[18] *See* Orrick, *Powering Data Centers* (last visited Feb. 24, 2026).
[19] McKinsey & Company, *The Data Center Balance: How US States can Navigate the Opportunities and Challenges* (last visited Feb. 24, 2026).
[20] R. 62-40.210, F.A.C.
[21] *See* University of Florida, *2025 Handbook of Florida Water Regulation: Consumptive Use Permits* (last visited Feb. 24, 2026).
[22] S. 373.219(1), F.S. CUPs may generally be issued for a period of up to 20 years. *See* s. 373.236(1), F.S.
[23] S. 373.223(1), F.S.
[24] *See* s. 373.229(1), F.S.
[25] *See* University of Florida, *2025 Handbook of Florida Water Regulation: Consumptive Use Permits* (last visited Feb. 24, 2026); *see e.g.,* R. 40E-2.301, F.A.C.
[26] *See* South Florida Water Management District, *Consumptive Water Use Permits* (last visited Feb. 24, 2026).

Reclaimed Water

Current law encourages the use of reclaimed water as an alternative water supply source where feasible.[27] Reclaimed water is treated domestic wastewater that is suitable for beneficial reuse purposes, including irrigation and certain industrial uses.[28] WMDs may require the use of reclaimed water in lieu of groundwater or surface water when it is available, environmentally sound, and economically feasible.[29]

Hearings

CUP applications are subject to public notice requirements.[30] The notice must state that written objections may be filed with the governing board. A hearing on the application is required unless:

- The application is for less than 100,000 gallons per day; or
- The application is for 100,000 or more gallons per day, no objection was received, and the governing board's staff has properly investigated the matter.[31]

Modification and Renewal of Permits

A permittee may request modification of the terms of an unexpired CUP.[32] If a proposed modification involves water use of 100,000 or more gallons per day, the application must be processed in the same manner as an initial permit application.[33] For modifications involving less than 100,000 gallons per day, the governing board may approve the request without a hearing if the permittee demonstrates that:

- Changed conditions have made the authorized water allocation inadequate; or
- The proposed modification would result in more efficient water use.[34]

Applications to renew an existing permit are processed in the same manner as an initial permit application.[35]

Economic Development Agency Confidentiality

Current law provides a public record exemption for certain information submitted to economic development agencies relating to a private business's plans to locate, relocate, or expand operations in the state. If a private entity requests confidentiality in writing before an economic incentive agreement is signed, information concerning the business's plans, intentions, or interests in locating, relocating, or expanding in Florida is confidential and exempt[36] from public disclosure for 12 months after the request is received, or until the information is otherwise disclosed, whichever occurs first.[37]

An economic development agency may extend this confidentiality period for up to an additional 12 months upon written request and a finding that the business is still actively considering the project.[38] If a final project order for a

---

[27] S. 373.250(1), F.S.
[28] S. 373.019(17), F.S.; DEP, *Uses of Reclaimed Water* (last visited Feb. 24, 2026).
[29] S. 373.250(3)(c), F.S. Industrial facilities that discharge wastewater into surface waters may also be required to obtain a separate surface water discharge permit administered by DEP, which establishes conditions governing such discharges. *See* DEP, *Industrial Wastewater* (last visited Feb. 24, 2026).
[30] S. 373.116, F.S.
[31] S. 373.229(2)-(4), F.S.
[32] S. 373.239(1), F.S.
[33] S. 373.239(2), F.S.
[34] *Id.*
[35] S. 373.239(3), F.S.
[36] There is a difference between records the Legislature designates *exempt* from public record requirements and those the Legislature designates *confidential and exempt*. A record classified as exempt from public disclosure may be disclosed under certain circumstances. *See WFTV, Inc. v. Sch. Bd. of Seminole*, 874 So.2d 48, 53 (Fla. 5th DCA 2004), *review denied*, 892 So.2d 1015 (Fla. 2004); *State v. Wooten*, 260 So. 3d 1060, 1070 (Fla. 4th DCA 2018); *City of Rivera Beach v. Barfield*, 642 So.2d 1135 (Fla. 4th DCA 1994); *Williams v. City of Minneola*, 575 So.2d 683, 687 (Fla. 5th DCA 1991). If the Legislature designates a record as confidential and exempt from public disclosure, such record may not be released by the custodian of public records to anyone other than the persons or entities specifically designated in statute. *See* Op. Att'y Gen. Fla. 04-09 (2004).
[37] S. 288.075(2)(a)1., F.S.
[38] S. 288.075(2)(a)2., F.S.

signed economic development agreement is issued, the information may remain confidential for up to 180 days after the issuance, provided that the total period of confidentiality does not exceed the time limits otherwise authorized by law.[39]

A public officer or employee may not enter into a binding agreement with a business entity that has requested confidentiality until 90 days after the information is made public, unless the agreement is entered into in an official capacity, does not accrue to the personal benefit of the officer or employee, and is deemed necessary to effectuate an economic development project.[40]

Florida Public Service Commission

The Florida Public Service Commission (PSC) is an arm of the legislative branch of government.[41] The PSC is tasked with ensuring Florida's consumers receive utility services, including electric, natural gas, telephone, water, and wastewater, in a safe and reliable manner and at fair prices.[42] In order to do so, the PSC exercises authority over utilities in one or more of the following areas: rate base or economic regulation; competitive market oversight; and monitoring of safety, reliability, and service issues.[43]

Electric Utility Regulation

Florida law provides that the regulation of public utilities is in the public interest and grants the PSC exclusive jurisdiction to do so.[44] The PSC monitors the safety and reliability of the electric power grid[45] and may order the addition or repair of infrastructure as necessary.[46] The PSC has broad jurisdiction over the rates and service of investor-owned electric and gas utilities[47] Additionally, the PSC has limited jurisdiction over municipal electric utilities (utilities owned or operated on behalf of a municipality) and rural electric cooperatives, regulating such utilities only with regard to rate structure, territorial boundaries, and bulk power supply operations and planning.[48] Utility rates and revenues of municipally owned utilities are regulated by their respective local governments or local utility boards. Rates and revenues for a cooperative utility are regulated by its governing body elected by the cooperative's membership.

Public Electric Utilities in Florida

There are four public utilities (also referred to as investor-owned utilities) providing electric service in Florida: Florida Power & Light Company, Duke Energy Florida, Tampa Electric Company, and Florida Public Utilities Corporation.[49]

Public utility rates and revenues are regulated by the PSC, and these utilities must file periodic earnings reports. This allows the PSC to monitor earnings levels on an ongoing basis and adjust customer rates quickly if a company appears to be overearning.[50] If a utility believes it is earning below a reasonable level, it may petition the PSC for a change in rates.[51]

Florida law establishes a duty for each public utility to provide sufficient, adequate, and efficient service to all customers within its established service territory upon terms approved by the PSC.[52] As compensation for fulfilling

---

[39] *Id.*
[40] *Id.*
[41] S. 350.001, F.S.
[42] *See* Florida Public Service Commission (PSC), *Florida Public Service Commission* (last visited Feb. 24, 2026).
[43] PSC, *About the PSC* (last visited Feb. 24, 2026).
[44] Ss. 366.01 and 366.04(1), F.S.
[45] S. 366.04(5)-(6), F.S.
[46] S. 366.05(1) and (8), F.S.
[47] S. 366.05, F.S.
[48] PSC, *About the PSC* (last visited Feb. 24, 2026).
[49] PSC, *2025 Facts and Figures of the Florida Utility Industry* (last visited Feb. 24, 2026).
[50] PSC, *2025 Annual Report* (last visited Feb. 24, 2026).
[51] *Id.*
[52] S. 366.03, F.S.

that obligation, public utilities are entitled to recover honestly and prudently invested costs of providing service, including investments in infrastructure and operating expenses used to provide electric service.[53]

PSC Rate Setting for Public Utilities

Florida law grants the PSC jurisdiction to regulate and supervise each public utility with respect to its rates and service, and requires a public utility to submit an application to the PSC for any requested change in rates.[54] No public utility may be denied a reasonable rate of return upon its rate base.[55] In fixing just, reasonable, and compensatory rates, the PSC must consider:

- The efficiency, sufficiency, and adequacy of the facilities provided and the services rendered.
- The cost of providing such service and the value of such service to the public.
- The ability of the utility to improve such service and facilities.
- Energy conservation and the efficient use of alternative energy resources; provided that no public utility is denied a reasonable rate of return upon its rate base.[56]

A public utility's tariffs are a series of documents that set forth the utility's rates, terms, and conditions for service as approved by the PSC. These tariffs also include standardized forms for the utility's service offerings and its standard contracts and agreements. Tariffs are generally revised, as necessary, after a PSC-approved change in a utility's rates or charges and are generally part of any proceeding revising rates or charges. Utilities may also request a tariff change if circumstances warrant doing so.

Local Comprehensive Planning

The Community Planning Act[57] provides counties and municipalities with the power to plan for future development by adopting comprehensive plans.[58] Each county and municipality must maintain a comprehensive plan to guide future development and growth.[59]

All development, both public and private, and all development orders approved by local governments must be consistent with the local government's comprehensive plan.[60] A comprehensive plan is intended to provide for the future use of land, which contemplates a gradual and ordered growth, and establishes a long-range maximum limit on the possible intensity of land use.[61]

A locality's comprehensive plan lays out the locations for future public facilities, including roads, water and sewer facilities, neighborhoods, parks, schools, and commercial and industrial developments.[62] A comprehensive plan is made up of 10 required elements, each laying out regulations for a different facet of development.[63] Local governments may also include optional elements in their comprehensive plan.[64] The 10 required elements are:

- Capital improvements.
- Future land use plan.
- Transportation.
- General sanitary sewer, solid waste, drainage, potable water and natural groundwater aquifer recharge.
- Conservation.
- Recreation and open space.

---

[53] *Id.*; s. 366.06, F.S.
[54] Ss. 366.04(1) and 366.06(1), F.S.
[55] S. 366.041(1), F.S.
[56] *Id.*
[57] Ch. 163, Part II, F.S.
[58] S. 163.3167(1), F.S.
[59] S. 163.3167(2), F.S.
[60] S. 163.3194(1)(a), F.S.
[61] *See, e.g., Sarasota County, Fla. Comprehensive Plan, Future Land Use Element, FLU Policy 1.1.1* (last visited Feb. 24, 2026).
[62] S. 163.3177(1), F.S.
[63] S. 163.3177(6), F.S.
[64] S. 163.3177(1)(a), F.S.

- Housing.
- Coastal management.
- Intergovernmental coordination.
- Property rights.[65]

Comprehensive plans must include at least two planning periods, one covering the first 10-year period occurring after the plan's adoption and one covering a period of at least 20 years.[66] Additional planning periods are permissible and accepted as part of the planning process.

Land Development Regulations

Comprehensive plans are implemented via land development regulations. Land development regulations are ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, sign regulations, or any other regulations controlling the development of land.[67]

Each county and municipality must adopt and enforce land development regulations consistent with and that implement its adopted comprehensive plan.[68] Local governments are encouraged to use innovative land development regulations[69] and may adopt measures for the purpose of increasing affordable housing using land use mechanisms.[70]

Electric Substations

The Legislature has expressed its intent to ensure the construction and maintenance of adequate and reliable electric infrastructure while balancing land use compatibility.[71] Current law establishes a streamlined approval process for electric substations. An "electric substation" is a facility that takes electricity from the transmission grid and converts it to another voltage for distribution to customers.[72]

Local governments may adopt and enforce reasonable land development regulations for electric substations, but such regulations are limited to setback, landscaping, buffering, screening, lighting, and other aesthetic compatibility-based standards.[73] In reviewing substation applications, local governments may not evaluate a utility's business decisions regarding service or customer demand.[74] Substations are generally considered a permitted use in all land use categories within a utility's service territory, except in areas designated for preservation, conservation, or historic preservation.[75]

If an application for a substation complies with applicable local standards, the local government must approve the application.[76] Specific timelines govern review of such applications, and a local government's failure to act within those timeframes may result in automatic approval.[77]

---

[65] S. 163.3177(3), (6)(a)-(i), F.S.
[66] S. 163.3177(5)(a), F.S.
[67] S. 163.3164(26), F.S.
[68] S. 163.3202(1), F.S.
[69] S. 163.3202(3), F.S.
[70] Ss. 125.01055 and 166.04151, F.S.
[71] S. 163.3208(1), F.S.
[72] S. 163.3208(2), F.S.
[73] S. 163.3208(3), F.S.
[74] S. 163.3208(6)(b), F.S.
[75] S. 163.3208(3), F.S.
[76] S. 163.3208(5), F.S.
[77] S. 163.3208(8), F.S.